

### **REMARKS/ARGUMENTS**

Applicants respectfully request reconsideration of the present application in view of the above changes to the claims and the following remarks, which are responsive to the Office Action mailed April 3, 2008.

#### **I. Status of Claims**

In the Office Action, Claims 1 and 4-6 were noted as pending in the application and were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,978,046 to Hagmann ("the *Hagmann* patent"). Applicants have canceled dependent Claim 4 and amended independent Claim 1. Following this response, Claims 1 and 5-6 are pending.

#### **II. Claim Rejections**

##### **A. Rejection of Independent Claim 1**

Independent Claim 1 was rejected under § 102(b) as anticipated by the *Hagmann* patent. The *Hagmann* patent discloses an apparatus for orienting articles (e.g., button) in riveting presses and the like. The apparatus includes an article transferring device 60 that reciprocates in a horizontal direction to move an article into the path of an upper tool and a lower tool, which affix the article to a garment. The article transferring device 60 includes a slide 64 that moves horizontally and a lever 72 that is pivotally mounted at point 73 adjacent the distal end of the slide 64 (the end closest to the upper and lower tools). The lever 72 is rotated in conjunction with cams 76, 77, 78, and 79 in response to the advancement and retraction of the slide 64. In addition, the lever 72 is housed within the slide 64, and the lower side of the elements 70 and 74 that hold article 15 are covered. Thus, the *Hagmann* patent does not disclose a button holder moving unit and button holder that are exposed to the outside to allow manual rotary operation, as recited in independent Claim 1 as amended.

Accordingly, because the *Hagmann* patent does not disclose each and every element of independent Claim 1 as amended, Applicants respectfully request that the rejection of Claim 1 be withdrawn and Claim 1 be allowed.

Appl. No.: 10/559,548  
Amdt. dated July 2, 2008  
Reply to Office action of April 3, 2008

**B. Rejection of Dependent Claims 5-6**

Dependent Claims 5-6 depend from independent Claim 1 and include all of the recitations of Claim 1 and any intervening claims plus their additional recitations that further distinguish the art applied in the rejection. Thus, for at least the reasons set forth above with respect to independent Claim 1, it is respectfully submitted that dependent Claims 5-6 are further patentable over the references cited as such dependent claims now depend from an allowable base claim.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Applicants appreciate the Examiner's careful consideration of this application and would welcome a telephone conference with the Examiner to expedite the processing of the patent application. Applicants' attorney, Meredith Struby, may be reached directly at (404) 881-4626.

Respectfully submitted,

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ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON JULY 2, 2008.